

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

POLAROID CORPORATION,

Plaintiff and Counterclaim Defendant,

v.

HEWLETT-PACKARD COMPANY,

Defendant and Counterclaim Plaintiff.

C.A. No. 06-738-SLR

**HEWLETT-PACKARD COMPANY'S MOTION TO STRIKE
PORTIONS OF THE DECLARATION OF THOMAS L. BEAUDOIN**

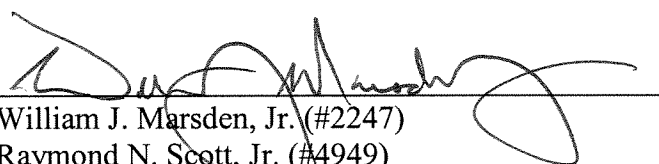
Defendant Hewlett-Packard Company ("HP") hereby moves to strike portions of the declaration of Thomas L. Beaudoin ("Beaudoin Declaration") (D.I. 195, Ex. 3), filed in support of "Plaintiff Polaroid Corporation's Answering Brief in Opposition to HP's Motion for Summary Judgment on Grounds of Estoppel and, in the Alternative or in Addition, Laches" (Polaroid's "Opposition") (D.I. 194).

As stated more fully in HP's Opening Brief, Polaroid's Opposition to HP's Laches/Estoppel Summary Judgment Motion relied heavily upon the Beaudoin Declaration. The Beaudoin Declaration, in turn, is based upon statements that Mr. Beaudoin's deposition establishes were not based on Mr. Beaudoin's personal knowledge. Therefore, the cited portions of the Beaudoin Declaration should be stricken and not relied upon by the Court in determining the merits of HP's Motion for Summary Judgment on Grounds of Estoppel and, in the Alternative or in Addition, Laches.

Dated: September 5, 2008

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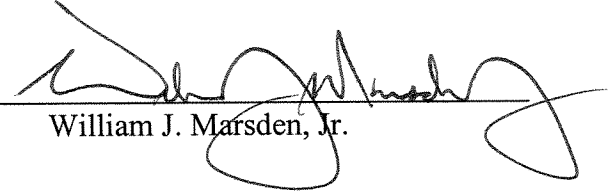
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RULE 7.1.1 CERTIFICATE

The undersigned certifies that counsel for movants have made a reasonable effort to reach agreement with the opposing attorneys on the matters set forth in the attached motion.



William J. Marsden, Jr.

CERTIFICATE OF SERVICE

I hereby certify that on September 5, 2008, I electronically filed with the Clerk of Court the foregoing document using CM/ECF which will send electronic notification of such filing(s) to the following counsel:

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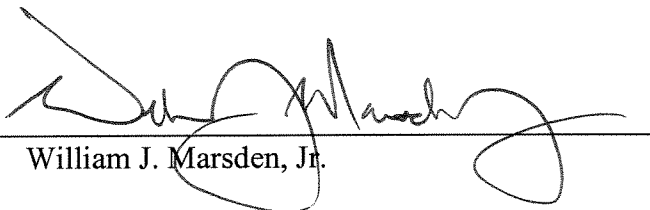
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William J. Marsden, Jr.

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**[PROPOSED] ORDER GRANTING DEFENDANT
HEWLETT-PACKARD COMPANY'S MOTION TO STRIKE
PORTIONS OF THE DECLARATION OF THOMAS L. BEAUDOIN**

AND NOW, the Court, having considered Defendant Hewlett-Packard Company's Motion to Strike Portions of the Declaration of Thomas L. Beaudoin and all supporting briefs, declarations and exhibits filed by Hewlett-Packard Company and Polaroid Corporation's opposition to the motion and all supporting briefs, declarations and exhibits,

IT IS HEREBY ORDERED that Defendant Hewlett-Packard Company's Motion to Strike Portions of the Declaration of Thomas L. Beaudoin is GRANTED.

Paragraphs 13-20, 22, 23, 26, 29, 30-34, and 39-41 of the Declaration of Thomas L. Beaudoin (D.I. 195, Ex. 3) are stricken and Plaintiff Polaroid Corporation's Answering Brief in Opposition to HP's Motion for Summary Judgment on Grounds of Estoppel and, in the Alternative or in Addition, Laches (D.I. 194) will be considered without reference to arguments supported by those portions of Mr. Beaudoin's Declaration.

SO ORDERED, this ____ day of _____, 2008.

The Honorable Sue L. Robinson